

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA §
§
v. § Criminal No. 3:12-CR-134-L
§
ERIKA SUSAN PERDUE §

ORDER RESETTING TRIAL

Before the court is Defendant Erika Susan Perdue's Unopposed Motion for Continuance, filed July 3, 2012. Upon consideration of the motion and the applicable law, and in accordance with the findings set forth below, the court determines that the motion should be and is hereby **granted**.

Defendant Perdue requests a second continuance because Defendant's forensics expert is unable to analyze the computers and other electronic devices seized by the FBI until the end of July or first of August. Moreover, defense counsel has two federal trials scheduled in October. In accordance with 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), this court finds that the ends of justice served by granting this motion for continuance outweigh the best interest of the public and Defendant in a speedy trial. In this regard, this court has considered factors indicating that its failure to grant this motion would deny counsel for Defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Therefore, any period of delay resulting from this court's granting the motion for continuance shall be excluded in computing the time within which the trial of this cause must commence under 18 U.S.C. § 3161.

Accordingly, the current trial setting of September 10, 2012, is hereby **vacated**, and this case is **reset** for trial on **November 26, 2012, at 9:00 a.m.**

The following revised scheduling order is issued for Defendant Erika Susan Perdue:

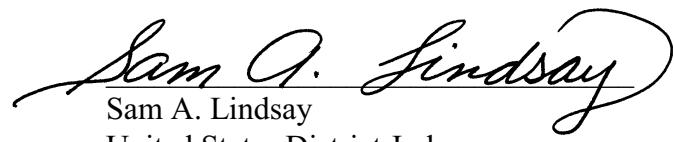
Motion Deadline: September 28, 2012, at 4:00 p.m.

Motion Response Deadline: October 12, 2012, at 4:00 p.m.

Trial Setting: November 26, 2012, at 9:00 a.m.

All other portions of the court's original Criminal Trial Scheduling Order remain in effect.

It is so ordered this 5th day of July, 2012.



Sam A. Lindsay
United States District Judge